673e.

673g.

676.

this section is effective only to such extent or in such amounts as are provided in appropriation

(Pub. L. 86-797, title II, §209, as added Pub. L. 93-452, §2, Oct. 18, 1974, 88 Stat. 1374; amended Pub. L. 95-420, §3, Oct. 5, 1978, 92 Stat. 921; Pub. L. 97-396, §5, Dec. 31, 1982, 96 Stat. 2005; Pub. L. 99-561, §1(b), Oct. 27, 1986, 100 Stat. 3149; Pub. L. 100-653, title II, §202(b), Nov. 14, 1988, 102 Stat. 3827.)

## REFERENCES IN TEXT

The Forest and Rangeland Renewable Resources Planning Act of 1974, as amended, referred to in subsec. (b), is Pub. L. 93-378, Aug. 17, 1974, 88 Stat. 476, as amended, which is classified generally to subchapter I (§1600 et seq.) of chapter 36 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1600 of this title and Tables.

The Federal Property and Administrative Services Act of 1949, referred to in subsec. (d), is act June 30, 1949, ch. 288, 63 Stat. 377, as amended. Title III of the Act is classified generally to subchapter IV (§251 et seq.) of chapter 4 of Title 41, Public Contracts. Section 304 of that Act is classified to section 254 of Title 41. For complete classification of this Act to the Code, see Short Title note set out under section 471 of Title 40, Public Buildings, Property, and Works, and Tables.

#### AMENDMENTS

1988-Subsecs. (a), (b). Pub. L. 100-653 substituted ''1988, 1989, 1990, 1991, 1992, and 1993'' for ''and 1988''.

1986—Subsecs. (a), (b). Pub. L. 99-561 substituted "1985, 1986, 1987, and 1988" for "and 1985"

1982—Subsecs. (a), (b). Pub. L. 97-396, §5(1), substituted "1983, 1984, and 1985," for "ending September 30, 1979, September 30, 1980, and September 30, 1981," wherever appearing.

Subsecs. (c), (d). Pub. L. 97-396, §5(2), added subsecs. (c) and (d).

1978—Subsec. (a). Pub. L. 95-420 substituted provisions authorizing appropriation of \$10,000,000 for each of fiscal years ending Sept. 30, 1979, 1980, and 1981 to enable the Secretary to carry out his functions, including data collection, research, planning, and conservation and rehabilitation programs, such funds to be in addition to those authorized for wildlife, range, soil and water management pursuant to section 1748 of title 43, for provisions authorizing appropriation of \$10,000,000for fiscal year ending June 30, 1974, and for each of next four fiscal years to enable Department of the Interior to carry out its functions.

Subsec. (b). Pub. L. 95-420 substituted provisions authorizing appropriation of \$12,000,000 for fiscal years ending Sept. 30, 1979, 1980, and 1981 to enable Secretary of Agriculture to carry out his functions, such funds to be in addition to those otherwise provided, and provisions relating to fish and wildlife program needs including those identified in State plans developed pursuant to Forest and Rangeland Renewable Resources Planning Act of 1974, for provisions authorizing appropriation of \$10,000,000 for fiscal year ending June 30, 1974, and for each of next four fiscal years to enable Department of Agriculture to carry out its functions.

## CHAPTER 6-GAME AND BIRD PRESERVES; **PROTECTION**

Sec. 671. National Bison Range. 672. Omitted.

673. Wyoming Elk Reserve.

Addition to the Wyoming Elk Reserve. 673a. 673b National Elk Refuge in Wyoming. 673c.

Conservation of elk in Wyoming.

(a) Creation of program; licensed hunters deputized as rangers.

(b) Recommendations by Wyoming Game and Fish Commission, and National Park Service; controlled reduction; deputation of hunters; removal of carcasses.

Restoration and conservation of elk in Cali-673d. fornia.

Cooperation of Secretaries of the Interior, Agriculture and Defense with State of California.

Report by Secretary of the Interior to Con-673f. gress; contents; recommendations.

Plan for elk restoration and conservation; coordination of Secretary of the Interior with Federal, State and other officers; integration with State plans.

674. Sullys Hill National Game Preserve.

Sullys Hill National Park; transfer of control; 674a. change of name to Sullys Hill National Game Preserve; boundaries; use by public; hunting.

674b. Sullys Hill National Game Preserve; acquisition of additional lands.

Boundary and division fences for Sullys Hill 674c. National Game Preserve; buildings and improvements; supplies; employees.

674d. Authorization of appropriations.

Norbeck Wildlife Preserve; establishment. Hunting, trapping, killing, or capturing game

on Norbeck Wildlife Preserve unlawful.

677. Inclosure of Norbeck Wildlife Preserve. 678. Exchange of lands with State of South Da-

kota and Norbeck Wildlife Preserve 678a Mining locations in Norbeck Wildlife Preserve; rules and regulations.

678b. Redefinition of western boundary of Norbeck Wildlife Preserve.

Patents to State of South Dakota of certain 679. lands in Custer State Park; reservation of

coal, oil, gas, and other mineral rights 680. Game animal and bird refuge in South Da-

kota; establishment. Erection of fence by South Dakota for game 681. animal and bird refuge.

Game refuge in Ozark National Forest. 682.

Areas set aside for protection of game and 683. fish; unlawfully taking game or fish. Game breeding areas in Wichita and Grand

684. Canyon National Forests. 685.

Hunting, trapping, killing, or capturing game in designated breeding areas unlawful.

686. Operation of local game laws not affected 687. Grand Canyon Game Preserve included in park.

Repealed. 688.

690d.

690e

Tahquitz National Game Preserve. 689.

Other uses of land permitted in Tahquitz Na-689a tional Game Preserve.

Hunting, pursuing, capturing in Tahquitz Na-689b tional Game Preserve unlawful.

689c. Rules and regulations for administration of the Tahquitz Preserve; predatory animals.

689d Acceptance of title to privately owned lands within Tahquitz Preserve. Bear River Migratory Bird Refuge; establish-690.

ment; acquisition of lands. Maintenance of lands acquired as refuge and 690a.

breeding place for migratory birds. 690b.

Consent of Utah to acquisition of lands for Bear River Refuge; approval of title to lands acquired.

690c. Existence of easements, reservations, or exceptions as barring acquisition of lands.

Injuries to property on Bear River Refuge; disturbance of birds, etc.; violation of regu-

lations for use of refuge. Enforcement of laws and regulations; warrants and processes; jurisdiction of courts; forfeiture of property captured, injured, killed or removed.

_			
Sec.	<ul><li>(a) Arrests and warrants.</li><li>(b) Seizures and forfeitures.</li></ul>	Sec. $695l$ .	Dedication of lands within boundaries of ref- uges to wildlife conservation; administra-
690f.	Expenditures by Secretary of the Interior for construction, maintenance, etc. of Bear River Refuge; employment of necessary		tion of lands for waterfowl management and optimum agricultural use; homestead entry prohibition; inclusion of other public lands;
	means to execute functions imposed on him.	60522	property of the United States.
690g. 690h.	Violation of laws and regulations; penalties. "Person" defined.	695m.	Annual percentage payments of net revenues from leases of Klamath project lands on pro rata basis; limitation on payments; priority
690i. 691.	Omitted. Cheyenne Bottoms Migratory Bird Refuge; lo-		of use of net revenues.
691a.	cation; acquisition of land. Establishment of Cheyenne Bottoms Migra-	695n.	Leases of Lower Klamath and Tule Lake Na- tional Wildlife Refuge reserved lands; man- agement of other reserved public lands for
0041	tory Bird Refuge; purpose.		waterfowl purposes.
691b. 691c.	Omitted.  Acquisition of areas for Cheyenne Bottoms Refuge; title; rights-of-way, easements, and	695 <i>o</i> .	Limitation on reduction of areas by diking or other construction.
	reservations.	695p.	Regulation of waters to maintain sump levels.
691d. 692.	Applicability of certain statutes.  Game sanctuaries or refuges in Ocala National Forest; creation.	695q.	Research studies on Clear Lake Refuge; report to Congress.
692a.	Hunting, pursuing, capturing, etc., in Ocala	695r.	Regulations by Secretary.
693.	National Forest unlawful. Game sanctuaries and refuges in Ouachita	696.	National Key Deer Refuge; establishment; acquisition of property: exchanges, cash equalization payments; administration.
693a.	National Forest. Rules and regulations for administration of	696a.	Acquisition of title to properties for National
000a.	Ouachita National Forest; violations; penalties.		Key Deer Refuge; rights-of-way and easements.
693b.	Robert S. Kerr Memorial Arboretum and Na-	696b.	Authorization of appropriations; limitation. Omitted.
	ture Center in Ouachita National Forest; authority to establish.	698.	Big Thicket National Preserve.
693c.	Administration by Secretary of Agriculture of the Robert S. Kerr Center.		<ul><li>(a) Establishment.</li><li>(b) Location; boundaries; publication in</li></ul>
693d.	Cooperation with public and private agencies;		Federal Register. (c) Methods of acquisition of land.
	contributions and gifts for Robert S. Kerr Center.		(d) Exchanges of land.
694.	Fish and game sanctuaries in national for-	698a.	(e) Indian Springs Youth Camp. Acquisition of property for Big Thicket Pre-
694a.	ests; establishment by President. Hunting, pursuing, capturing, etc., in sanc-		serve. (a) Mineral rights; easements; improved
694b.	tuaries in national forests unlawful. Rules and regulations for administration of		properties.
	sanctuaries in national forests; jurisdiction of States.		(b) Plan to Congressional committees; time; contents.
695.	Migratory waterfowl and other wildlife refuge		<ul><li>(c) Completion of land acquisition pro- gram; time.</li></ul>
	in California; participation by State of California.	698b.	Right of use and occupancy of improved prop-
695a.	Title in United States of California refuge		erty on Big Thicket Preserve.  (a) Election of right of use and occu-
	areas; existence of easements, reservations, etc.; affecting acquisition.		pancy; payment of fair market
695b.	Applicability of certain statutes.		value; termination of right.
695c.	Availability of funds for construction of		<ul><li>(b) "Improved property" defined.</li><li>(c) Waiver of right to relocation assist-</li></ul>
695d.	dams, buildings, etc., for California refuge.  Development of water supplies for waterfowl		ance by election of right of use and
	management in California; reauthorization	698c.	occupancy. Administration of Big Thicket Preserve.
695e.	of Central Valley Project. Construction, operation, and maintenance of	0000.	(a) Natural and ecological integrity.
	water supply development works.		(b) Limitation on construction of roads, campgrounds, etc.; rules and regula-
695f.	Construction, etc., authorized by section 695e as not reimbursable or returnable under		tions for use of Federal lands and
	reclamation laws.		waters.
695g. 695h.	Authorization of appropriations.  Ownership by State of California of works		(c) Hunting, fishing, and trapping authorized in accordance with applica-
	constructed.		ble Federal and State laws; con- sultation with appropriate State
695i.	Authorization of Secretary of the Interior to contract for water delivery; nonreimburs-		agency prior to implementation of
	able or nonreturnable basis of delivery.  (a) Amount and time of water delivery to	698d.	regulations restricting activities. Review of Big Thicket Preserve area by Sec-
	Service.	698e.	retary; report to President. Authorization of appropriations for Big
	(b) Construction, operation, and mainte- nance of water conveyance facili-	0306.	Thicket Preserve.
	ties.	698f.	Big Cypress National Preserve; Big Cypress
	<ul><li>(c) Reversionary rights of Secretary.</li><li>(d) Restrictive covenants.</li></ul>		National Preserve Addition. (a) Establishment.
695j.	Conformity of water use with California laws;		(b) Location; boundaries; publication in
695j-1.	construction of sections 695d to 695j-1. Conformity of contracts with Federal law		Federal Register; area. (c) Methods of acquisition of land; pre-
-	through negotiation of amendments.		requisites to Federal appropria-
695k.	Congressional declaration of policy for pres- ervation of habitat for migratory waterfowl		tions; improved property; oil and gas rights; appraisal of property;
	and prevention of depredations on agricul-		transfer of Federal property to Sec-
	tural crops.		retary.

Sec.

698h.

(d) Land within Addition; United States share of acquisition costs.

698g. Acquisition of lands for Big Cypress Preserve.

- (a) Expeditious acquisition of Florida lands.
- (b) Submission of plan to Congressional committees; time; contents.
- (c) Time for completion of land acquisition program.

Right of use and occupancy of improved property on Big Cypress Preserve and Addition.

- (a) Election of right of use and occupancy; payment of fair market value; termination of right.
- (b) "Improved property" defined.
- (c) Waiver of right to relocation assistance by election of right of use and occupancy.

698i. Administration of Big Cypress Preserve; applicability of other laws; rules and regulations for use of lands and waters; transportation facilities; consultation and cooperation with Secretary of Transportation.

698j. Hunting, fishing, and trapping in Big Cypress
Preserve and Addition authorized in accordance with applicable Federal and State
laws; consultation with appropriate State
agency prior to implementation of regulations restricting activities; land use and retention rights of Miccosukee and Seminole
Indian Tribes.

698k. Contracts for providing visitor services in Big Cypress Preserve and Addition; right of first refusal to Miccosukee and Seminole Tribes.

6981. Review of Big Cypress Preserve area and Addition area by Secretary; report to President.

698m. Authorization of appropriations for Big Cypress Preserve and Addition.

698m-1. Big Cypress National Preserve Addition.

(a) Establishment.

- (b) Location; boundaries; publication in Federal Register.
- (c) Designation; management.

(d) Completion of land acquisition; time.
698m-2. Establishment of recreational access points,
roads, etc., in conjunction with creation of
Big Cypress National Preserve Addition; cooperation among agencies.

698m-3. Status of Big Cypress National Preserve and Addition; report to Congress; plan.

698m-4. Oil and gas exploration, development, and production in Big Cypress National Preserve and Addition.

- (a) Promulgation of rules and regulations.
- (b) Contents of rule or regulation; permit from National Park Service.
- (c) Activities to conform to requirements of National Park Service.
- (d) Consideration of practices used in similar habitats or ecosystems.
- (e) Interim agreements with owners of non-Federal oil and gas interests prior to promulgation of rules and regulations.
- (f) Minerals Management Office; establishment; duties.
- (g) Authorization of appropriations.

698n. Timucuan Ecological and Historic Preserve.

(a) Establishment.

lishment

- (b) Land acquisition.
- (c) Administration.
- (d) Development of multiunit residential/ resort project.

6980. Protection of significant historic assets.
 698p. Integrated administration and interpretation.
 698q. Little River Canyon National Preserve; estab-

(a) In general.

- (b) Area included.
- (c) Map.
- (d) Publication of description.

698r. Administration.

- (a) In general.
- (b) Hunting and fishing.
- (c) Water resources projects.
- (d) Cooperative agreements with State.
- (e) DeSoto State Park.
- (f) Public involvement.
- (g) Green Pitcher Plant.

698s. Acquisition.

- (a) Authorization.
- (b) Negotiations for acquisition.
- (c) Environmental audits.
- (d) Future additions.

698t. Authorization of appropriations.

## § 671. National Bison Range

There is reserved and excepted from the unallotted lands now embraced within the Flathead Indian Reservation, in the State of Montana, a parcel not to exceed twenty thousand acres of said lands, near the confluence of the Pend d'Oreille and Jocko Rivers, for a permanent National Bison Range for the herd of bison presented by the American Bison Society. The Secretary of the Interior is authorized and directed to inclose said lands with a good and substantial fence and to erect thereon the necessary sheds and buildings for the proper care and maintenance of the said bison.

(May 23, 1908, ch. 192, 35 Stat. 267; Mar. 4, 1909, ch. 301, 35 Stat. 1051; 1939 Reorg. Plan No. II, §4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433.)

### CODIFICATION

Act May 23, 1908, authorized President to reserve and except 12,800 acres, only, for the purposes of this section.

Act May 23, 1908, also made an appropriation to enable Secretary of the Interior to pay the confederated tribes of the Flathead, Kootenai, and Upper Pend d'Oreille, and such other Indians as rightfully belonged on the reservation, the appraised value of the lands which provision was omitted as temporary and executed.

Act Mar. 4, 1909, directed President to reserve and except a sufficient area to enlarge the range to not to exceed 20,000 acres.

# TRANSFER OF FUNCTIONS

Functions of Secretary of Agriculture relating to conservation of wildlife, game, and migratory birds transferred to Secretary of the Interior by Reorg. Plan No. II of 1939, set out in the Appendix to Title 5, Government Organization and Employees.

## § 672. Omitted

## CODIFICATION

Section, act Aug. 10, 1912, ch. 284, 37 Stat. 293, established Wind Cave National Game Preserve. Preserve abolished and property transferred to Wind Cave National Park, to be administered by Secretary of the Interior for purposes expressed in this section, see section 141b of this title.

## § 673. Wyoming Elk Reserve

There is established a winter game (elk) reserve in the State of Wyoming, which shall be located in that section of Wyoming lying south of the Yellowstone Park, and shall include not